

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

In re:)	
)	
PUSHMATAHA COUNTY – CITY OF)	
ANTLERS HOSPITAL AUTHORITY,)	Case No. 16-81001
)	Chapter 9
Debtor.)	

PATIENT CARE OMBUDSMAN REPORT

Deborah Burian, the duly appointed patient care ombudsman, pursuant to 11 U.S.C. § 333(b)(2) files hereby her twelfth periodic report, for the period August 18, 2018 to October 16, 2018.

/s/ Mark B. Toffoli
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DEBORAH BURIAN

Patient Care Ombudsman's Twelfth Report in re: Pushmataha County Hospital – City of Antlers Healthcare Authority

Case 16-81001

COMES NOW, Deborah Burian, Patient Care Ombudsman (“Ombudsman”) and pursuant to 11 U.S.C. 333 submits her Twelfth report.

Factual Background

On the 20th day of October 2016, the United States Trustee for the Eastern District of Oklahoma appointed Deborah Burian as Patient Care Ombudsman in the case of Pushmataha County Hospital – City of Antlers Healthcare Authority.

This is the Ombudsman's Twelfth report and includes the reporting period from August 18, 2018 to through October 16, 2018.

Basis of Review

As a condition of participation in Medicare, the primary payor for most hospitals, facilities must be surveyed and ensured to be in compliance with the Medicare Conditions of Participation (42 CFR Part 485 Subpart F) by an approved body. This survey is completed by a state regulatory agency (Oklahoma State Department of Health - OSDH) or a private accrediting agency; most commonly the Joint Commission on Health Care Accreditation (JCAHO). Pushmataha County Hospital, herein referred to as “Pushmataha” is currently licensed and certified by the Oklahoma State Department of Health (OSDH).

Pushmataha also participates in the Medicare program as a “Swing Bed” facility and is certified to provide Skilled Nursing Facility (SNF) care to approved patients.

For all healthcare facilities, care standards are established by regulation; regulations are then translated at the federal and state levels with “interpretive guidelines.” These guidelines provide a map for the generally accepted quality of care which must be provided. States may have additional guidance; where that guidance may differ at the state and federal levels, the more stringent regulation applies. Throughout the Ombudsman's monitoring role, in addition to other issues which may arise, Ombudsman is assessing whether observed care and services meet those requirements.

Sixty-Day Review

- 1) During the 60-day period of this review, Ombudsman maintained contact with facility to monitor operations and address any concerns which might arise. A site visit was conducted on August 14, 2018.

- 2) In the prior period, there had been an ongoing concern regarding the temperature of kitchen handwashing sinks not consistently maintaining warm water for handwashing (OAC 310:257-3.10) and at a temperature of at least 100 degrees Fahrenheit (OAC:257-9.14.) The facility has provided evidence of the installation of a new hot water heater which is dedicated to the handwashing sink. This issue has been corrected.
- 3) There have been no complaints or concerns regarding patient care or staffing in the reporting period.
- 4) The ombudsman has identified a concern regarding the ongoing provision of preventative maintenance of diagnostic and durable medical equipment, as required at CFR 482.41 (c)(2) "Facilities, supplies, and equipment must be maintained to ensure an acceptable level of safety and quality. In the previous reporting period, ombudsman had shared this concern with facility management. In the prior sixty days, this issue has been addressed. On August 22, 2018, documentation was provided that the noted problems were corrected. Ombudsman will continue to monitor on future visits.
- 5) In the next 60 days Ombudsman will follow up on these areas of concern and will conduct a site visit to address prior issues and to continue monitoring role.

Wherefore, Ombudsman, Deborah Burian prays the court accept and approve this 60-day report of Deborah Burian and for such other relief as the Court deems just and appropriate.

Respectfully submitted,

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